

2912 Crosby Road
Charlotte, NC 28211-2815
Phone: (704) 365-4881
Fax: (704) 365-4851

ProPat, L.L.C.**Fax**

To:	USPTO Examiner Keith D. Hendricks Art Unit 1761	From:	Claire Wygand for Klaus Schweitzer Phone: (704) 365-4881 Fax: (704) 365-4851
Fax:	(703) 872-9311 — After Final	Pages:	11 pages total Transmittal cover (1 page) Fee sheet (1 page) RCE (1 page) Limited Recognition form (1 page) Request for Reconsideration (7 pages)
Phone:	(703) 305-0179	Date:	August 26, 2003
Re:	Application No. 09/675,825 filed 9/29/00 Our Ref.: 98/080 NUT	CC:	

Dear Examiner Hendricks,

Attached for the above referenced case are: 1) Fee Transmittal ; 2) RCE, 3) copy of the Limited Recognition under 37 C.F.R. § 10.9(b) for Klaus Schweitzer; 4) Request for Reconsideration.

Respectfully submitted,

Claire Wygand

FAX RECEIVED
AUG 26 2003
TC 1700

PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2002</h2> <p style="font-size: small; margin: 0;">Patent fees are subject to annual revision.</p>	<p style="text-align: right; font-weight: bold; margin: 0;">Complete if Known</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>09/675,825</td> </tr> <tr> <td>Filing Date</td> <td>September 29, 2000</td> </tr> <tr> <td>First Named Inventor</td> <td>J. A. Aldrich</td> </tr> <tr> <td>Examiner Name</td> <td>Keith D. Hendricks</td> </tr> <tr> <td>Group Art Unit</td> <td>1761</td> </tr> <tr> <td>Attorney Docket No.</td> <td>98/080 NUT</td> </tr> </table>	Application Number	09/675,825	Filing Date	September 29, 2000	First Named Inventor	J. A. Aldrich	Examiner Name	Keith D. Hendricks	Group Art Unit	1761	Attorney Docket No.	98/080 NUT
Application Number	09/675,825												
Filing Date	September 29, 2000												
First Named Inventor	J. A. Aldrich												
Examiner Name	Keith D. Hendricks												
Group Art Unit	1761												
Attorney Docket No.	98/080 NUT												
<input type="checkbox"/> Applicant Claims small entity status. See 37 CFR 1.27													
TOTAL AMOUNT OF PAYMENT	(\$) 750.00												

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)																																																																																																																																																																																		
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 502193 Deposit Account Name: ProPat, LLC The Commissioner is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	<h3>3. ADDITIONAL FEES</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>830</td><td>217</td><td>460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>820</td><td>244</td><td>310</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination (RCE)</td><td>750.00</td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table> <p>Other fee (specify) _____</p> <p>*Reduced by Basic Filing Fee Paid</p>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	105	130	205	65	Surcharge - late filing fee or oath		127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for ex parte reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	400	216	200	Extension for reply within second month		117	830	217	460	Extension for reply within third month		118	1,440	218	720	Extension for reply within fourth month		128	1,960	228	980	Extension for reply within fifth month		119	320	219	160	Notice of Appeal		120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,280	241	640	Petition to revive - unintentional		142	1,280	242	640	Utility issue fee (or reissue)		143	460	243	230	Design issue fee		144	820	244	310	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Processing fee under 37 CFR 1.17(q)		126	180	126	180	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))		149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))		179	740	279	370	Request for Continued Examination (RCE)	750.00	169	900	169	900	Request for expedited examination of a design application	
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																														
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																
105	130	205	65	Surcharge - late filing fee or oath																																																																																																																																																																															
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																															
139	130	139	130	Non-English specification																																																																																																																																																																															
147	2,520	147	2,520	For filing a request for ex parte reexamination																																																																																																																																																																															
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																															
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																															
115	110	215	55	Extension for reply within first month																																																																																																																																																																															
116	400	216	200	Extension for reply within second month																																																																																																																																																																															
117	830	217	460	Extension for reply within third month																																																																																																																																																																															
118	1,440	218	720	Extension for reply within fourth month																																																																																																																																																																															
128	1,960	228	980	Extension for reply within fifth month																																																																																																																																																																															
119	320	219	160	Notice of Appeal																																																																																																																																																																															
120	320	220	160	Filing a brief in support of an appeal																																																																																																																																																																															
121	280	221	140	Request for oral hearing																																																																																																																																																																															
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																															
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																															
141	1,280	241	640	Petition to revive - unintentional																																																																																																																																																																															
142	1,280	242	640	Utility issue fee (or reissue)																																																																																																																																																																															
143	460	243	230	Design issue fee																																																																																																																																																																															
144	820	244	310	Plant issue fee																																																																																																																																																																															
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																															
123	50	123	50	Processing fee under 37 CFR 1.17(q)																																																																																																																																																																															
126	180	126	180	Submission of Information Disclosure Stmt																																																																																																																																																																															
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																															
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																															
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																															
179	740	279	370	Request for Continued Examination (RCE)	750.00																																																																																																																																																																														
169	900	169	900	Request for expedited examination of a design application																																																																																																																																																																															
<h3>1. BASIC FILING FEE</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>101</td><td>740</td><td>201</td><td>370</td><td>Utility filing fee</td><td></td></tr> <tr><td>106</td><td>330</td><td>206</td><td>165</td><td>Design filing fee</td><td></td></tr> <tr><td>107</td><td>510</td><td>207</td><td>255</td><td>Plant filing fee</td><td></td></tr> <tr><td>108</td><td>740</td><td>208</td><td>370</td><td>Reissue filing fee</td><td></td></tr> <tr><td>114</td><td>160</td><td>214</td><td>80</td><td>Provisional filing fee</td><td></td></tr> </tbody> </table> <p style="text-align: right;">SUBTOTAL (1) _____</p> <h3>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Total Claims</th> <th colspan="2">Extra Claims</th> <th colspan="2">Fee from below</th> <th colspan="2">Fee Paid</th> </tr> <tr> <th>Independent</th> <th>Dependent</th> <th>-20**=</th> <th>-3**=</th> <th></th> <th></th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td>0</td> <td>0</td> <td>X</td> <td></td> <td>-0-</td> <td></td> </tr> <tr> <td></td> <td></td> <td>0</td> <td>0</td> <td>X</td> <td></td> <td>-0-</td> <td></td> </tr> </tbody> </table> <p>Multiple Dependent _____</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>102</td><td>84</td><td>202</td><td>42</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>104</td><td>280</td><td>204</td><td>140</td><td>Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>109</td><td>84</td><td>209</td><td>42</td><td>**Reissue independent claims over original patent</td><td></td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td><td></td></tr> </tbody> </table> <p style="text-align: right;">SUBTOTAL (2) _____</p> <p>** or number previously paid, if greater; For Reissues, see above</p>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	101	740	201	370	Utility filing fee		106	330	206	165	Design filing fee		107	510	207	255	Plant filing fee		108	740	208	370	Reissue filing fee		114	160	214	80	Provisional filing fee		Total Claims		Extra Claims		Fee from below		Fee Paid		Independent	Dependent	-20**=	-3**=							0	0	X		-0-				0	0	X		-0-		Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	103	18	203	9	Claims in excess of 20		102	84	202	42	Independent claims in excess of 3		104	280	204	140	Multiple dependent claim, if not paid		109	84	209	42	**Reissue independent claims over original patent		110	18	210	9	**Reissue claims in excess of 20 and over original patent		<p style="text-align: right;">SUBTOTAL (3) (\$)</p> <p style="text-align: right;">750.00</p>																																																																		
Large Entity		Small Entity		Fee Description			Fee Paid																																																																																																																																																																												
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																
101	740	201	370	Utility filing fee																																																																																																																																																																															
106	330	206	165	Design filing fee																																																																																																																																																																															
107	510	207	255	Plant filing fee																																																																																																																																																																															
108	740	208	370	Reissue filing fee																																																																																																																																																																															
114	160	214	80	Provisional filing fee																																																																																																																																																																															
Total Claims		Extra Claims		Fee from below		Fee Paid																																																																																																																																																																													
Independent	Dependent	-20**=	-3**=																																																																																																																																																																																
		0	0	X		-0-																																																																																																																																																																													
		0	0	X		-0-																																																																																																																																																																													
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																														
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																
103	18	203	9	Claims in excess of 20																																																																																																																																																																															
102	84	202	42	Independent claims in excess of 3																																																																																																																																																																															
104	280	204	140	Multiple dependent claim, if not paid																																																																																																																																																																															
109	84	209	42	**Reissue independent claims over original patent																																																																																																																																																																															
110	18	210	9	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																															

SUBMITTED BY			Complete (if applicable)	
Name (Print/Type)	Klaus Schweitzer	Registration No. (Attorney/Agent)	Limited Recognition	Telephone
Signature	<i>K. Schweitzer</i>			
				Date
				Aug. 26, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Received from <7043654851> at 8/26/03 1:50:10 PM [Eastern Daylight Time]

PTO/SB/30 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Commissioner for Patents
Mail Stop RCE
Alexandria, VA 22313-1450

Application Number	09/675,825
Filing Date	9/29/2000
First Named Inventor	J.A. Aldrich
Art Unit	1761
Examiner Name	Keith D. Hendricks
Attorney Docket Number	98/080 NLT

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other Petition for Revival of a Patent app.

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-2193
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other Petition for Revival of an Application for Patent Abandoned Unintentionally
- b. ☐ Check in the amount of \$_____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Klaus Schweitzer	Registration No. (Attorney/Agent)	Limited Recognition
Signature	<i>K. Schweitzer</i>	Date	08/26/2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Claire Wygand	Date	08/26/2003
Signature	<i>Claire Wygand</i>		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

FAX RECEIVED

TC 1700

AUG 26 2003

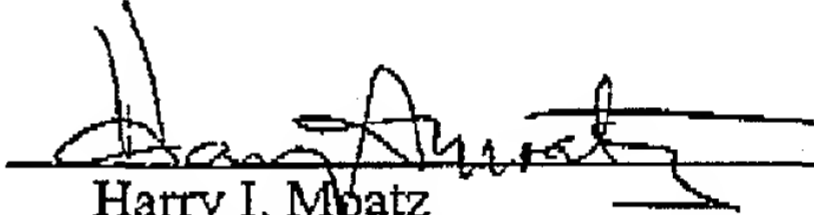
**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE
UNITED STATES PATENT AND TRADEMARK OFFICE**

LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)

Klaus Schweitzer is hereby given limited recognition under 37 CFR § 10.9(b) as an employee of ProPat, L.L.C. to prepare and prosecute U.S. patent applications wherein the applicant is the client of ProPat, L.L.C., and the attorney of record in the applications is Mr. Gregory Clements (Reg. No. 30,713). This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Klaus Schweitzer ceases to lawfully reside in the United States, (ii) Klaus Schweitzer's employment with ProPat, L.L.C. ceases or is terminated, or (iii) Klaus Schweitzer ceases to remain or reside in the United States on an E2 visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Expires: November 13, 2003


Harry I. Moatz
Director of Enrollment and Discipline

FAX RECEIVED
AUG - 6 2003
TC 1700